

**Notice of Allowability**

Application No.

10/697,853

Examiner

Jean B. Corrielus

Applicant(s)

YELLIN, DANIEL

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 8/9/07.

2.  The allowed claim(s) is/are 2-6, 8-22, 24-28, 30-33, 35-40, renumbered as 1-26, 28, 29, 27, 30-35, respectively.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review ( PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*Jean B Corrielus*  
Jean B Corrielus  
Primary Examiner  
Art Unit: 2611

9-14-07

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory Stanton on 9/14/07. The application has been amended as follows:

**IN THE CLAIMS:**

Claims 5, 7, 22, 23, 24 have been amended as follow:

--5. (Currently Amended) The apparatus of claim 2, wherein [[:]] said apparatus [behaves as a RAKE receiver when a quantity of users in said first group is 1 and a quantity of users in said second group is 0] implements different receiver architectures by varying a quantity of users in said first group and a quantity of users in said second group. --

Claim 7 has been canceled.

--22. (Currently Amended) The method of claim 21, wherein[[:]] processing includes performing [RAKE] different receiver architecture processing on said CDMA signal by varying a quantity of users in said first group and a quantity of users in said

second group [when said first group includes only a desired user and said second group includes no user].—

Claim 23 has been canceled.

--24. (Currently Amended) The method of claim 21, wherein:

processing includes performing MMSE equalization when said first group includes only said a desired user and said second group includes all other active users associated with the same base station as said desired user--.

***Drawings***

2. The drawings were received on 8/9/07. These drawings are acceptable.
3. The following is an examiner's statement of reasons for allowance: a method and apparatus for use a CDMA receiver are disclosed. The closest prior art Massicote et al US Patent application publication No. 2004/0136444A1 and Frank US patent publication No. 2002/0136158A1 disclose similar method and apparatus. However, Massicote et al and Frank do not teach or fairly suggest the limitations of "generating a joint minimum mean square error (MMSE) equalization and multi- user detection (MUD) despreading sequence based on a distribution of active users within said first and second groups". Such limitations, in combination with the other limitations, as recited in claims 15 and 26 are neither anticipated nor rendered obvious by Massicote and Frank.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B. Corrielus whose telephone number is 571-272-3020. The examiner can normally be reached on Monday-Thursday from 9:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jean B. Corrielus  
Primary Examiner  
Art Unit 2611

9-14-07